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Censored—for Life

THE REAGAN administration's proposal to impose prepublication censorship for life on hundreds of thousands of federal and federal contractor employees appeared to have died a well-deserved death on Feb. 15. That's when the president withdrew that portion of the infamous National Security Decision Directive 84 that authorized such censorship.

Now it turns out that more work is needed to really finish off this proposal. According to a General Accounting Office report, some 119,000 non-defense and 156,000 defense employees had already signed lifetime prepublication censorship agreements by the beginning of the year. For the rest of their lives every one of these 275,000 people may have to send to the government for review anything—even an article on what they did last summer—before it can be published. The government has 30 days for review, but of course that is the beginning, not the end, of the potential for delay. These agreements aren't voluntary; some people have lost their jobs for refusing to sign them. But they might be enforced by a court, and that very possibility will discourage many people—including those uniquely qualified to comment on some issues—from exercising their rights of free expression.

And the damage is not all potential. Last year, at least (some agencies didn't report totals to the GAO) 28,364 books, articles, speeches and other writings

were reviewed by government censors. There may be a good argument for government review of writings of current employees exposed to the highest level of secret documents; some would argue for lifetime censorship of writings of those employed by inherently secret agencies such as the CIA and NSA. But as a general rule, this is not a business the government should be in. It allows all too easily government officials—or political operatives—to undermine freedom of expression and limit the information the public can have to what they would like it to have.

The president's retreat from this obnoxious law came through bipartisan pressure from Congress. Legislators such as Sen. Charles Mathias and Rep. Jack Brooks were appalled by these censorship agreements, and got the administration to agree not to require them for the rest of this year. But damage—the 275,000 contracts signed—remains to be undone, and to be prevented in the future.

For that purpose Mr. Brooks has sponsored legislation scheduled for markup in a Post Office and Civil Service subcommittee this week. Drafting such a law is delicate work. Legislators should make sure that, in asserting some rights, they do not by implication relinquish others. The ideal thing would be for the administration, which has said it won't force employees to sign such contracts in the future, in effect to tear up those signed in the past and promise not to seek any in the future. If it doesn't, Congress should act.